

REMARKS

This responds to the Office Action mailed on June 28, 2007.

Claims 1, 30, 34, 36-37, 41 and 43 are amended, claim 3 is canceled in this response, claim 10 was canceled in a previous response, and no claims are added; as a result, claims 1-2, 4-9 and 11-43 remain pending in this application. The amendments to claims 1, 30 and 37 more particularly describe what Applicant considers inventive subject matter provided in the disclosure. Support for the amendments may be found throughout the specification, and in particular on pages 14-17 of the specification. The amendments to claims 34, 36, 41 and 43 provide consistent terminology in view of the amendments to claims 1, 30 and 37 and are not made in response to an art based rejection or other reason related to patentability.

Interview Summary

Applicant thanks Examiner **Jennifer Leung** as well as Supervisory Examiner **John Hotaling**, for the courtesy of a personal interview on **July 26, 2007** with Applicant's representatives **Rodney Lacy and Michael Blankstein**.

Applicant's representative presented new proposed amendments and discussed how the claimed invention distinguishes over Gatto et al. (U.S. 6,916,247). No agreement regarding the status of the claims was reached during the interview. The Examiner indicated that further consideration and a new search would be required regarding the subject matter in the proposed amendments.

§102 Rejection of the Claims

Claims 1-8, 10-14, 16, 18, 21-24, 26-35 and 37-42 were rejected under 35 U.S.C. § 102(e) for anticipation by Gatto et al. (U.S. 6,916,247), hereinafter Gatto. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*."

Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). Applicant respectfully submits that claims 1-36 as amended are not anticipated because the claims contain elements not found in Gatto.

For example, claim 1 recites that a discovery agent receives “service information from the service provider.” Claims 30 and 37 recite similar elements regarding a service sending service information to a discovery agent. Applicant has reviewed Gatto and can find no disclosure of a service sending service information about a service to a discovery agent on a gaming network.

Further, claim 1 recites that the discovery agent is operable to “determine if the service provider is authentic and authorized for the gaming network.” Claims 30 and 37 recite similar language with respect to a discovery agent authenticating and authorizing a service. Applicant has reviewed Gatto and can find no teaching or suggestion of authenticating and authorizing a service. Further, there is no disclosure in Gatto of a discovery agent that authenticates and authorizes a service for a gaming network.

In view of the above, claims 1, 30 and 37 recite elements that are not disclosed by Gatto. Therefore claims 1, 30 and 37 are not anticipated by Gatto. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1, 30 and 37.

Claims 2-8, 11-14, 16, 18, 21-24 and 26-29 depend from claim 1. Claims 31-35 depend from claim 30. Claims 38-42 depend from claim 37. These dependent claims inherit the elements of their respective base claims and therefore allowable for at least the reasons discussed above regarding base claims 1, 30 and 37. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 2-8, 11-14, 16, 18, 21-24, 26-29, 31-35 and 38-42.

§103 Rejection of the Claims

Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto in view of Barnes Jr. (U.S. Publication No. 2003/0065805), hereinafter Barnes.

Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto in view of Murata (U.S. Publication No. 2002/0013174).

Claims 36 and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto in view of Barnes.

Claims 9, 15 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto in view of Wynn et al.(U.S. 5,971,271), hereinafter Wynn.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto in view of Weiss (U.S. Publication No. 2007/0060381), hereinafter Weiss.

Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto in view of Nelson (U.S. 6,935,958), hereinafter Nelson.

In order for a *prima facie* case of obviousness to exist, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *M.P.E.P.* § 2142 (citing *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). Applicant respectfully submits that the claims are not obvious in view of any combination of Gatto and Barnes, Murata, Wynn, Weiss or Nelson because the claims as amended contain numerous elements not found in any combination of Gatto, Barnes, Murata, Wynn, Weiss or Nelson.

Each of the dependent claims 9, 15, 17, 19-20, 25, 36, 43 depends from one of independent claims 1, 30 and 37. These dependent claims therefore inherit all of the elements of their respective base claims 1, 30 and 37, including elements directed to sending service information to a discovery agent and verifying by the discovery agent that the service is authentic and authorized for the gaming network. As discussed above, Gatto fails to teach or suggest these elements. Additionally, Applicant has reviewed Barnes, Murata, Wynn, Weiss and Nelson and can find no teaching or suggestion of sending service information to a discovery agent or verifying by the discovery agent that the service is authentic and authorized for the gaming network. As a result, there is no combination of Gatto and any of Barnes, Murata, Wynn, Weiss or Nelson that teaches or suggests each and every element (including inherited

elements) of Applicant's claims 9, 15, 17, 19-20, 25, 36 or 43. Therefore claims 9, 15, 17, 19-20, 25, 36 and 43 are not obvious in view of Gatto combined with Barnes, Murata, Wynn, Weiss or Nelson. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 9, 15, 17, 19-20, 25, 36 or 43.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

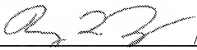
Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date September 28, 2007

By / 
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28th day of September 2007.

Rodney L. Lacy

Name


Signature